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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: A8163

David MARGOLIS, et al.

Appln. No.: 09/957,031

Group Art Unit: 1636

Confirmation No.: 6530

Examiner: SITA S. PAPPU

Filed: September 21, 2001

For: INTEGRATIVE PROTEIN-DNA COCHLEATE FORMULATIONS AND METHODS
FOR TRANSFORMING CELLS

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RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the restriction requirement, dated August 6, 2002, Applicant elects Group I, Claims 89-94, 95-99, 100, 109-110, 111-116, 117-122, 123-127, 128, 137-140, 141-148, 149-154, 155-159, 160, 169-171, 172-178, 179-190, drawn to a composition comprising a vector delivery structure, wherein the binding protein in REP 68 or REP 78, and methods of in vitro transformation and ex vivo treatment of a subject, classified in class 514, subclass 2+ for examination. This election is made without traverse.

The Examiner has required the Applicant to elect a single disclosed species for prosecution of claims 179-190.

In response to the Examiner's requirement, Applicant elects a normal p47 phox gene. Claims 179-181 and 188 read on the elected species.

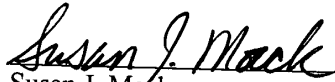
Applicant reserves the right to file a Divisional Application directed to non-elected claims.

U.S. Serial No. 09/957,031

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: September 6, 2002